Supreme Court, U. S.
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MICHAEL RODAK, JR., CLE

APPENDIX

IN THE

Supreme Court of the United States

OCTOBER TERM, 1973

No. 73-1461

THELMA B. STANTON,

Appellant,

v.

JAMES LAWRENCE STANTON, JR.,

Appellee,

ON APPEAL FROM THE SUPREME COURT OF THE STATE OF UTAH

APPEAL FILED MARCH 5, 1974
PROBABLE JURISDICTION NOTED OCTOBER 21, 1974

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RELEVANT DOCKET ENTRIES IN THE PROCEEDINGS BELOW

April 14, 1960 — Complaint of Thelma B. Stanton filed in District Court of Salt Lake County, Utah.

November 29, 1960 — Answer of James Lawrence Stanton, Jr., filed.

November 29, 1960 — Stipulation with respect to attorney's fees, property settlement, alimony, and support money filed.

November 29, 1960 — Findings of Fact, Conclusions of Law, and Decree of Divorce filed.

May 22, 1973 — Notice of Motion for judgment for past due support money, with supporting affidavit of plaintiff, filed.

May 29, 1973 — Defendant's Petition for Modification of Decree of Divorce, with supporting affidavit of defendant, filed.

May 29, 1973 — Defendant's Interrogatories to Plaintiff filed.

June 7, 1973 — Findings of Fact, Conclusions of Law, and Order denying plaintiff's motion for judgment for past due support money filed.

June 13, 1973 — Notice of Motion to Amend Findings of Fact, Conclusions of Law and Order filed.

June 13, 1973 — Amended Findings of Fact, Conclusions of Law, and Order denying judgment for past due support money filed.

June 18, 1973 — Plaintiff's Answers to Interrogatories filed.

June 22, 1973 — Notice of Appeal to Supreme Court of the State of Utah filed.

January 4, 1974 — Decision of Supreme Court of State of Utah filed.

January 30, 1974 — Plaintiff's Petition for Rehearing denied.

January 30, 1974 — Remittitur issued by Supreme Court of the State of Utah.

February 4, 1974 — Remittitur filed in District Court of Salt Lake County, Utah.

March 5, 1974 — Notice of Appeal to the Supreme Court of the United States filed.

DISTRICT COURT OF SALT LAKE COUNTY, STATE OF UTAH

THELMA B. STANTON,
Plaintiff,
vs.
JAMES LAWRENCE STANTON, JR.,
Defendant.

Findings of Fact and Conclusions of Law
No. 125233

This matter came on regularly for hearing the 29th day of November, 1960, before the Honorable A. H. Ellett, the plaintiff appearing personally and by counsel, Sumner J. Hatch, and the defendant appearing by counsel, Wayne Ashworth; the defendant's answer

having been withdrawn and his default entered, testimony having been adduced for and on behalf of the plaintiff, the stipulation as to property, child support and alimony having been entered and made a part of the record, the court being fully advised in the matter now makes the following

FINDINGS OF FACT

1. For more than three months immediately preceding commencement of this action, plaintiff and defendant have been and now are actual and bona fide residents of Salt Lake County, State of Utah.

2. The parties were married at Elko, Nevada, on the 22nd day of February, 1951.

3. There are two children the issue of the marriage, to wit, Sherri Lyn, aged seven years, and Rick Arlund, aged five years, who are now in the care and custody of their mother who is a fit and proper person to be awarded such care and custody, with full rights of visitation in the defendant, their father.

4. Defendant has treated the plaintiff cruelly causing her great mental distress and physical discomfort, more particularly as follows: During the last three months the parties lived together, the defendant continually bickered and argued with the plaintiff and failed to come home nights, admitted going out with other women, stated that plaintiff should get a divorce and that he no longer loved her.

5. The parties should be granted property settlement as set forth in the stipulation.